costs.

General Term. By Judges McAdam, Goeop and Sheridan.—
McDonaid agt. Zabriakle.—Indigment affirmed with costs opinion per curiam filed. Buell agt. Coull.—Order settled and filed.

CALENDARS THIS DAY.

associates, the following business was transacted:

Ocean Steamers.

able terms.
Steering t chees to and from all parts of Europe at very low rates. Freight and passage office, No. 4 Bowling Green, VI., NON B. FROWN & CO., Agents.

GENERAL TRANSATLANTIC COMPANY.

BETWILEN NEW YORK AND HAVER.
Fier of Commany (new) No. 42 North River, foot of Morton-st,
Travelers by this line avoid both traines by English rail
way and the discomingta of crossing the Channel in a small
heat
PERELLIF, Detabline. West Bec 8, 10 a. m.
GALDERA Beavaile.

Wellnesday, Dec 22, 9 a. m.

GUION LINE. STATES MAIL STEAMERS.

CUNARD LINE.

DEPARTMENT OF JUSTICE.

THE ATTORNEY-GENERAL'S REPORT. SUMMARY OF THE OPINIONS AND RECOMMENDA TIONS-INTERMEDIATE FEDERAL COURTS-PAY-MENT OF CIVIC FEDERAL OFFICERS-THE ELEC-

TION LAWS-CARE C7 PRISONS. WASHINGTON, Dec. 6 .- The annual report of the Attorney-General was presented to Congress today. It gives in detail the business transacted by the Department of Justice during the fiscal year ending June 30, 1880, including the statistics of erime under the laws of the United States, a statement of the appropriations controlled by the Attorney-General, together with other such matters. The pressure upon the docket of the Supreme Court continues. At the last term there were ten original causes and 1,196 appeals. In last term's original actions the United States was called upon to resist the call for the exercise of the original lurisdiction Supreme Court. The more importent cases argued before the Supreme Court are stated. In connection with the case against Postmaster James, of New York, in the Circuit Court of New York, where judgment for plaintiff was rendered for \$68,000 for the use of a patented stamp-cancelling machine, the Attorney-General recommends an amendment affording to post-masters the same protection as to their personal liability to respond for their official acts, as is given by section 989 of the Statutes to Collectors and other officers of

the customs revenue.

At the last term of the Supreme Court the Attorney-General appeared in five original actions and 229 appealed cases. Of the cases finally disposed of, twen ythree judgments favorable to the United States were affirmed and five reversed; thirteen adverse judgments were aftirmed and seven reversed.

INTERMEDIATE APPELLATE COURTS.

" It seems to me that an Intermediate Court of Errors and Appeals can be created which shall relieve the Supreme Court of a portion of its jurisdiction, and which shall enable the business of the Circuit Courts also to be expedited. This can be done by adding to the number of Circuit indiges. Without desiring to propose any pian in detail for the consideration of Congress, I respectfully suggest that if the judges of the Circuit Courts should be increased by the addition of one judge to each circuit (except the second, where two should be added), the means would be provided by which an intermediate appellate court could be formed in each circuit, consisting of two circuit, consisting of two circuit, consisting of two circuit pudges and the circuit, consisting of two circuit pudges and the circuit. According to some defined pian, the judges of the District Courts should be more promptly and efficiently performed. According to some defined pian, the judges of the District Courts should be authorized to sit in case of the absence or disability of one of the Circuit judges, or the Justice of the Supreme Court assigned to the circuit. An appellate court of such a character could safely be invested with a very large jurisdiction; and it would seem to me tout no appeal should be permitted therefrom, unless the sum in dispute should exceed \$10,000, or unless the sum in dispute should exceed \$10,000, or unless the indiges themselves of such intermediate court should certify that the case was one of such difficulty that it might properly be argued in the Supreme Court. The expense of such an addition to the judicial force at the present salaries would be but \$60,000, and would be substantially all the expense necessary to be incurred.

"This certainly is a trifling sum in comparison with the objects of redeving the Supreme Court and the Circuit Courts, and thus giving parties an opportunity of a speedy trial."

Under the head of claims, the report summarizes the suits tried or otherwise disposed of during the facal year, and recommends that section 1,077 of the Revised Stautes, in so far as it requires the jettion filed in the Courts, and thus giving parties an opportunity o which shall enable the business of the Circuit Courts also to be expedited. This can be done by adding to the

PAYMENT OF FEDERAL CIVIL OFFICERS. The appropriation approved June 16, 1880, provided \$600,000 for the fees and expenses of the United States Marsha's for the fiscal year ending with June 30, 1880. Of this amount the report shows there was expended up to July 1, 1880, the sum of \$421,300. Out of this appropriation were paid their fees and the expense of serving process alone, which they and their deputies had incurred, and accounts for nearly all of which had been rendered before the appropriation was made. For fees and expenses of United States Marshals hieutred in the last year there has been paid since July 1, 1880, the sum of \$256,000, showing that at present there remains of the original appropriation \$65,000,000, against which claims are still present method of compensating United States Attorneys, which is principally by fees, the Attorney-General recommends that they should be paid by salaries alone. If this plan should be adouted, at its maintained that salaries of District Attorneys in certain districts should also be provided for, and that Congress itself should prescribe their number, compensation, and the district in which they should be employed. to July 1, 1880, the sum of \$421,300. Out of this appro-

is recommended that the number of witnesses the United States shall be required to summon and pay for any defendant shall not exceed four (except in capi-tal caser), and that only these should be summoned when it is clearly shown by affidavit that then testi-

Manuschine des lines and the sections of the designation of the residence of the section of the

Esty and Mr. J. L. Smithmeyer, recommend the erection of a separate edifice for the library. The reasons, as stated in the report, are : first, that to extend the Capi tol so as to provide for the growing wants of the ilbrary would not only mar its srehitectural appearance, but render it more inconvenient for legislative purposes; and secondly, the inadequacy of the Capitol to contain the vast collection of books and other matter deposited

vast collection of books and other matter deposited under the present copyright law. Accompanying the report were several plans for a new Library building. The report was ordered to be printed.

The committee on Manufactures had under consideration the report of the National Board of Trade offering three prizes for the best draft of a bill "to provide against the adulteration of articles of food;" also, the bill introduced at the last session of Compress by Representative Beale, of Virginia, which provides penalties for the adulteration of articles of food and drink. No definite action was taken. Representatives of the produce and butter interests applied to the committee for a hearing to enable them to oppose may action favorable to the obcomargarine manufacturers.

The Committee on the Militia discussed the Militia bill introduced at the last session by Representative which introduced at the last session by Representative which is thought that early action will be taken upon it by the Committee.

It is thought that early action will be taken upon it by the Committee.

A moeting of the Ways and Means Committee has been called for to-morrow, when the question of a Refunding bill will be at once called up. In conversation this morning, Fernando Wood, the chairman, expressed the opinion that the Committee will deem it advisable to offer a bill providing for the refunding of the debt, which fails due in 1880 and 1881 in bonds bearing a less rats of interest than 31g per cent.

The Committee on Commerce will meet to-morrow and will at our entered the preparation of the River and Harbor bill.

The sub-committees of the Appropriations Committee are a ready at work and a meeting of the full committee will be held to-morrow for conference.

The Committee on Post Offices and Post Roads will meet on Thursday.

XLVIth CONGRESS-IIId SESSION.

REGULAR REPORT OF PROCEEDINGS. THE OPENING OF THE SESSION-READING OF THE PRESIDENT'S MESSAGE-A NUMBER OF NEW BILLS INTRODUCED IN THE HOUSE.

SENATE WASHINGTON, Dec. 6, 1880. The galleries of the Senate Chamber were filled with speciators sometime before the time of the opening of the session. About two-thirds of the Senators were present, and there was general greeting and con-

gratulation among them. At 12 o'clock the Vice-President called the Senate to

At 12 0 clock the vice-resident cancer the Scantille Corder, and Chaplain Bullock delivered a prayer.

The credentials of James L. Pugh, elected to fill the unexpired term of George S. Houston, deceased, as Senator from Alabama, and the credentia's of Joseph E. Brown, elected by the Legislature of Georgia to fill the unexpired term of General Gordon, were read, and they were swern in.

The credentials of George F. Edmunds, of Vermont, elected as his own successor, were also read.

The annual report of the Secretary of the Senate was

received and ordered to be printed. A communication from the Attorney-General in auswer to a resolution of June last explaining the methods of distributing appropriations for that department was

Mr. THURMAN (Dem., Ohio) suggested that it would be more orderly to wait notification that the House was to session before transacting business in the Senate. Resolutions were then agreed to, directing the Secretary of the Senate to inform the House of the readless of the Senate to inform the House of the readless of the Senate for business, and sending the same information to the President by a committee acting with a similar contribution of the House

tion to the Fresdient by a committee acting with a sub-lar committee of the House.

Twelve o'clock was fixed as the hour of daily meeting, after which a recess of half an hour was taken. When the Senate reassembled, at 12.45, a message was received from the House announcing that a quorum of that body was assembled and ready to proceed to business. No re-port having yet been received from the committee ap-pointed to wait upon the President, a recess was taken and 1.20 n.m.

pointed to wait upon the President, a recess was taken until 1:30 p. io.

At 1:30 p. io.

At 1:30 the Senate was again called to order. Private Secretary W. K. Regers appeared and derivered the Measage of the President, which the Vier-President inid before the Senate and the reading of which was at once began by Secretary of the Senate Burch.

The reading of the Message was concluded at 3 o'clock, when the Senate then adjourned until 12 o'clock to-morrow.

HOUSE OF REPRESENTATIVES.

Long before 12 o'clock the galleries of the House were filed with spectators. On the floor the enstomary handshakings were indu'ged in. At 12 o'clock the Speaker called the House to order and the Chapinto, the Rev. Mr. Harrison, offered prayer. The roll-call showed the presence of 227 members,

The credentials of Jonethan Scoville as a member elect from the XXXIId Congressional District of New-York were presented and he appeared at the bar of the House and qualified, taking the ironelad oath.

The Clerk was directed to inform the Senate that the

more than a quorum.

House was ready to proceed with business; and a com-mittee was appointed to convey similar information to

THE COURTS.

AN OCULIST SUED FOR MALPRACTICE. The suit of William D. Tucker against Dr. Henry D. Noves, the oculist, to recover \$10,000 damages for the loss of an eye through an alleged bad opera-tion by the doctor, attracted many of his friends to the Superior Court, where Judge Russell was sitting with a jury yesterday. Mr. Tucker's story, as told by his counsel in opening, was that Le went in November, 1976, with his sister to the New-York Eye and Ear Infirmary, both of them being afflicted with cataracts in their eyes. The young man had lost almost all use of his right eye, but was able to read, study and work with the left one. He told the doctor to operate only upon the right eye, but when he came out from the upon the right eye, but when be came out from the effects of the anaesthelies he found that both eyes had been operated upon; that the right eye was not benefited, and that the sight of the left eye was destroyed, It was claimed that Dr. Noyes, who had charge not only of the infirmary generally but also of this operation, had allowed some of the students to perform the most serious purt of the operation, and it was their bungling that did the ruinous work.

Dr. Noyes denies that there was any carelessness or lack of skill. The case will be continued to-day, II. P. Allen and J. L. Hill for the plantiff; E. G. Drake and Joseph H. Choate for the defendant.

A RAILROAD PRESIDENT IN CONTEMPT. The Atlantic and Pacific Telegraph Company obtained a temporary injunction from Chie. Judge Cuffies inh be Superior Court, last spring, restraining the Baltimore and Ohio Rullroad Company and the American Union Telegraph Company from interfering with the use of the telegraph line along the route of the defendant's railroad company, which the plaintiff claimed the right to road company, which the plaintiff claimed the right-control. The injunction was served upon J. W. Garrett, the President of the rairoad company, while he was temporarily in New-York, and the questions on the motion to containe the injunction were whether this was such a service as gave the Court juriswhether this was such a service as gave the Court jurisdiction over the indiread company, and whether the
Curt had any right to control by injunction the action
of a company incorporated and doing business in another State, Judge Gurtis decided in the negative and
dismissed the injunction. The General Term vesterday
reversed this decision, Judges Bedgwick and Freedman
both writing opinions.

Judge Freedman save that if the plaintiffa facts were
correct, the defendant railroad company had broken a
contract between the parties made in this State. As
Mr. Garritt was alleged to have disregarded the nijunction, an attachment was directed to issue against him,
that the question of contempt might be settled.

REFEREE IN AN IMPORTANT SUIT.

Charles Devlin as assignee of A. J. Hackey began against the city in 1864 a suit to recover a claim of Mr. Hackley as contractor for street cleaning. The contract had been suddenly terminated by the city under the allegation that it had been improperly ob tained by corruption in the Board of Aldermen, and this was the defence on the trial in the Court of Common was the defence on the trial in the Court of Common Pieas. Homer IL Smart as referee gave judgment for Mr. Devim for \$492.378 51. This judgment was reversed by the General Term, which again was reversed by the Court of Appeals. Wm. Beomfield was appointed referee, and while the question of his appointment was being littrated to the Court of Appeals he died. After several other appointments, decisions and reversals, Abram Wakeman was appointed referee. On the appeal from this order of appointment it was contended that the original order of reference was vacated by Mr. Bioomheid's death.

THE FORTY-SECOND STREET RAILROAD.

The suit of William II. Webb against the Forty-second Street, Manhattanville and St. Nicholas Avenue Railroad Company, to restcain them from con structing their railroad in Forty-second-st., east of Teuth-ave., was tried before Chief Judge Sedgwick in Tenth-ave., was tried before Chief Judge Sedgwick in the Superior Court, Special Term, yesterday. The claim of the vaintid is based principally upon the proposition that the consent of the owners of one-half in value of the property along this street has not been obtained. Mr. Webb was on the stand nearly all day yesterday testifying to the circumstances under which the road was commenced and the longry that such a road would do to property in Forty-second-st. The defendant company claim the rulet to build the road by the authority of the Board of Aldermen and special acts of the Legislature. The trial will occurs several days. Faluagan and Bright appear for Mr. Webb; Arthur Phelps, Knevals and Rausom for the company.

DECISIONS—DEC. 6.

Supreme Court—Chambers—By Judge Donohne.—
Hodges, etc., art. Perrine.—Motion for stay granted. Davis act. Tapp.—Settle order on motion. Schmidt act. Schmidt. Identity of person served not sufficiently proven. Write art. Fagus.—Motion granted order to be settled on motics. Possidantier agt. Vize.—Order vacating arrost granted. Trusberinge act Semins. See order transle. The People agt. the Eric Rallway Company—Motion denired. In the matter of Gillespie.—See memorandum. Shaw agt. Potter—Order vacation, Culver agt. Gane—Dismissed. Whitlook act. Whitlook. Order signed. Germania Frie Insurance Company act. Weise.—Motion denied. Watter agt. Stein.—See memorandum. Evin agt. the Oregon Italway and Navigation Company.—Dismissed. Names agt. Pierce.—Denied. Leonard art. Loughren et al.; Pavine agt. Huestis: Same act same. Hill agt. Treloome; Risold agt. Rigold. McAroller agt. Lamoon; In the matter of Vates. Grillener act. Melbevit; Brown agf. Brown—Granted. Seney agt. the Nashvide. Cheltanoog and St. Lauis Haironal Commany; Argust agt. Jacobase memoraredim. In the matter of Brown Fiver Road, In the matter of same. Firmfagt. Security Insurance Company; Same act. same.—Firaffagt. Security Insurance Company; Same act. same.—Firaffagt.—We Jingle Lawrence.—In the matter of Knapp.—See memoraredim. In the matter of Moran—Granted confirming resort. DECISIONS-DEC. 6.

ports.

proceed Torn—By Judge Van Vorst.—Peters, etc., agt, present others.—Instructions as to the device to the dead and Edgar Potter given outprion. Many may the dead of th

MINES AND MINING.

Nolan; Tenzer agt, the Dry Dock, East, Broadway and Battery Raifroad Company.—Orders of discontinuance. Earle agt Bingham.—Motion granted vacating summons. Silvet agt, Lynch.—Motion granted; see memorandum. Webber agt, Fruat, Nos. 1 and 2.—Case settled and filled. Tonnetty agt, Rauth; Lord art, Fay; Lougham agt, Gillett.—Defaults, Levy agt, Rothschild.—Order signed.

By Clief Justice Shea.—Fost agt, Harris.—Western Stan appointed receiver. ular. Hukill was still pressed for sale, and its price declined from 1.50 to 1.30@1.35, and Gold Placer By Chief Justice Shoa. Fost agt. Burzoff.—Order actiled appeinted receiver.

By Judge McAdam.—Fowler agt. Burzoff.—Order actiled and filed. O'Neil agt. Cohen; Jones agt. Hayes; Ireland agt. Haed.—Judge Hawes.—Burchard agt. Patterson; Burtis agt. Acker.—Motions denied; see memorandum.

By Judge Goepp.—Elenz agt. Duer., Motion denied without costs. further declined 5 cents to 35 cents. The Comstock shares were more than usually active and strong; Consolidated Virginia rose from 2,25 to 2,45@2,40. and California from 1.60 to 1.75. The Bodie stocks also generally were strong, Bodie selling up to 50 lower at 614, and Little Cnief declined from 1.20 to 99 cents@1.05, but Climax, while dull, rose from 56 to 59@57 cents, and Amie rose from 42 to 44 cents. Boston Consolidated was active with a large amount of transactions, and rose from 1.70 to 2.05. A fair amount of business was done in Mineral Creek at 1.40@1.45. Every opportunity to raid the "Bidwell" stocks is still improved to mark their figures down. To-day Green Mountain was offered down to and sold at 4.40, but the last price was at 4.75, and Moose declined from 1.05 to 98 cents, Silver Ningzet was 2 cents ingher at 27 cents, Copper Knob dull and steady at about 13 cents, Calaveras I cent lower at 23 cents and Great Eastern I cent higher at 23 cents. The markets closed generally rather firm.

The Ontario Silver Mining Company has declared its sixty-second dividend (for November) payable at Wells, Fargo & Co. December 15.

N. F. MINING STOOK BYOUL YOU SIGHS SECOND CALL-12:30 O'CLOCK P. M.

| Con Virginia | O Amie | Cilmax | Cilmax | 20 ... b3 2.45 | 100 ... 42 | 500 ... b3 0... 56 | 200 ... 2.45 | 600 ... 43 | 500 ... b60 1.50 | 400 ... 57 | 400 ... 2.40 | 100 ... 53. 1.40 | 100 ... 54 | 100 ... 53. 1.40 | 500 ... 24 | 100 ... 53. 1.40 | 500 ... 24 | 100 ... 53. 1.40 | 500 ... 24 | 100 ... 53. 1.40 | 500 ... 24 | 100 ... 53. 1.40 | 500 ... 24 | 100 ... 53. 1.40 | 500 ... 24 | 100 ... 53. 1.40 | 500 ... 24 | 100 ... 53. 1.40 | 500 ... 24 | 100 ... 53. 1.40 | 500 ... 24 | 100 ... 53. 1.40 | 100 ... 50. 1.40 | 500 ... 24 | 100 ... 43 | 100 ... 50. 1.40 | 500 ... 24 | 100 ... 43 | 100 ... 50. 1.40 | 100 ... 24 | 100 ... 43 | 100 ... 53. 1.45 | 100 ... 53. 1.45 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.50 | 100 ... 53. 1.5 30, 531. 11 11 Freedman, J.—Court opens at 11 a. m.—Nos. 19, 286, 296, 243, 316, 757, 137, 321, 335, 337, 362, 261, 37, 359, 395, 408, 452, 297, 454, 368, 397, 346, 358, COMMON PLPAS—GENERAL TERM—Adjourned for the term. CRCIAL TERM—Van Hoesen, J.—Court opens at 11 a. m.—No day calcular. EQUITY TREM—C. P. Daly, C. J.—Court opens at 11 a. m.—No. 2. FOURTY TREM—C. P. Daly, C. J. Court opens at II a.

TRIAL TERM—PART I—Larremore, I.—Court opens at II a.

M. Nos. 781, 856, 820, 885, 748, 445, 305, 869, 807, 405, 773,
481, 698, 554, 843, 11, 395, 867, 681, 250, 821, 249,
PART II.—Van Brunt, J.—Court opens at II a. m.—Nos.,
737, 760, 330, 388, 786, 799, 732, 640, 737, 445, 539, 739,
796, 53, 511, 723, 421, 744, 721, 375, 597, 738, 788, 734, 791,
675, 789, 505, 541, 822, 610, 8.

MARING COURT—TRIAL TERM—PARTS I II and III—Adlourned size die

'INEXTAL SESSIONS—PART I—Smyth, R.—The People agt,
Michael McNamara, John Curain, Paul Curain, felonious asMary Bloom, Thomas Kennedy, burglary: Philip Reach,
grand brecave; athaine McCrady, felonious assemit and battery: Helena Mujler, misdemeanor: John Moore, petit
hercow.

lett. Heiena Mullet, misdemeanor: John Moore, pelit larconv.
Faur II—Cowing, I.—The People agt. George Neuman, felo-nious assault and hattery: James Thompson, burglary: Lizzle Stockenger, Charles O'Comor. Ecoll Hartman, grand larcony: John Gilvaiey, forzery: Israel Rosenburg, burglary toda; Charles Rosrecke, receiving stolen goods. OVER AND IEMMESS—Barreit, J.—Court opens at 11 a. in.— The People agt. Onofrio Mangano, homioide. ALBANY, Dec. 6 .- In the Court of Appeals to-day, present the H in. Charles J. Folger, C. J., and

associates, the following business was transacted:

No. 509.—The People, etc., planniffs in error, agt. Joseph Bork, defendant in error, argued by J. M. Hamplarey for pianotisis merror, and Wm. H. Ga ney for defendants in error, No. 547.—The People, etc., planniffs in error, agt. Anna Cox. defendant in error; submitted.

No. 585.—Treing Taintor, respondent, agt. Isaac D. Heminway and ano her, appelants; submitted.

No. 321.—Louisa Donal Weble, appellant, agt. William C. Conner, Sacriff, respondent, argued by Charies Weble for appellant, and Almoa Goodwin for respondent.

No. 243.—Ashivel B. Avery, respondent, agt. Van Buren Wheat and others, appellants submitted.

No. 345.—James Morton, appellant, agt. Horace K. Thurber and another, respondents; argued by Roger A. Pryor tor appellant, and E. More for respondents.

ENO. 384.—Hyman Van Giesen and others, appellants, agt. Samuel Bridford, respondents.

Samuel Bridford, respondents argued by J. J. Perry for appellant, and Chares F. F. Spoor for respondent.

The day calondar for the Court of Appeals for Tuesday, December 7, 1880, is as follows: Nos. 597, 323, 332, 388, 389, 390, 301 and 302. SECOND CALL-11 O'CLOCK A. M.

THIRD CALL-12 O'CLOCK M.

California 100 as... 1.70 FOURTH CALL-2 O'CLOCK P. M.

CLOSING PRICES OF CALIFORNIA STOCKS.

MPERIAL GERMAN MAIL.

Hamburg American Picket Company's Line for Physical Chertholder, and RAMBURE.

per 23 PRYMOUTH CHARROLLE, AND THE STATE OF ST MARIA GERMAN MAIL.

MPERIAL GERMAN MAIL.

SOLUTION OF STEAM SPECIAL NEW YORK,
SOLUTION OF STEAM SPECIAL NEW YORK,
SOLUTION OF STEAM SET WELL NEW YORK,
SOLUTION OF STEAM SET WELL NEW YORK TO SET WELL TO SET WELL NEW YORK TO SET THE SET CARIN.

FIRST CARIN. STEEL NEW YORK TO SOLUTION SET TO SET TO

SAN FRANCISCO, Dec. 6.—There is great activity in the Comstocks. The northenders and middle stocks are holder at the advance, but Alfa and the mines in its vicinity show a marked decline. After the regular call Alta fell to \$8. The harvesting of shorts is reported as the cause of the decline. The and Norchoss is growing in favor, as the result of the development of twelve feet of good ore on the 2,400 level.

The Executive Company have this may declared the regular the development of twelve feet of good ore on the 2,400 level.

MONDAY, Dec. 6-P. M. The mining share markets to day were very irreg-4.85, but Goodshaw was 3 cents weaker at 77 cents. Of the Leadville stocks, Chrysolite was dull and 18

THIRD CALL-2:30 O'CLOCK P. M.

AMERICAN MINING STOCK BXCHANGE SALES.

FIRST CALL-104 O'CLOCK A. M.

PROM NEW-YOLK TO LIVERFOOL VIA QUEENS.
TOWN. ORTH RIVER

SCYTHIA Wednesday, Dec. 15, 350 p. m.
GALLIA Wednesday, Dec. 29 g. m.
ROTHNIA Wednesday, Dec. 29 g. m.
ROTHNIA Wednesday, Dec. 29 g. m.
Labin passage, \$69, \$80 and \$100; return thekets on favorable terms.

EDGLE 61 CARLY PASSAGE (according to state room), \$60, \$30 and \$100, INTERM! DIATE \$10, \$10 ERAGE at low rates.

shaft is being sunk at what appears to be one of the most promising places yet explored in this part of the company's property.

Mining.

A MERICAN MINING STOCK EXCHANGE, 63 BROADWAY, NEW-YORK. LEADING BROKERS.

> FRANKLIN ALLEN, 63 Broadway. JOHN GRAY. 115 Broadway. G. P. HART, 63 Broadway. MARK L. MCDONALD. 63 Broadway. R. M. MITCHILL, JR., 30 Pine-st. J. R. MULLANY. 51 Broadway.

A MIE CONSOLIDATED MINING CO. OF LEADVILLE, COLORADO.

apital stock, \$5,000,000: 500,000 shares: par value \$19 SHARES FULL PAID AND UNASSESSABLE. REGISTRAR of TRANSFERS, Union Trust Co., N. Y. office, No. 57 Broadway, New-York.

BANNER MINING COMPANY.
Mines: Inyo County, California.
Capital \$1,000,000; shares \$5 cach, unascessable.
Samuel Cococer, President; Thomas P. Maiany, Secretary.

BASSICK MINING CO.
Location of Mune-Rosita, Custer County, Col.
CAPITAL, \$10,900,000......100,000 SHARES....PAR \$100
Office, No. 14 Wall-st., New-York.

CAPITAL, \$10,200,000... 100,000 SHARES.... PAR \$100 Office, No. 44 Wall-st. New York.

BUCKEYE WATER and HYDRAULIC MINING COMPANY.
Location of principal place of business, San Francisco, California.
Location of works, Trinity County, California.
NOTICE IS HEREBY GIVEN. That at a meeting of the Board of Directors, held on the fourth day of November, 1880, an assessment (No. 3) of TWO DOLLARS per share was levied upon the capital stock of the corporation, payable immediately in United clatters, as the office of the company. Room 15. No. 320 Sanson sensionents shall remain unpaid on the eleventh day day of Decomment shall remain unpaid on the eleventh day day of Decomment shall remain unpaid on the eleventh day day of Decomment is with the self-induced assessment together with coach of advertising and exposses of sale. By order of the Board of Directors, Office, Room 15, No. 320 Sanson-e-st, San Francisco, Cal. Previous to December 3, 1880, assessments can be paid to, and certificater's stamped by WM. A. STEPHENS, Vice-President.

Office, Room 12, No. 50 Wall-st, New York.

BULL DOMINGO CON. MINING CO.

BULL DOMINGO CON. MINING CO. Mines at Silver Cliff, Colorado, Capital Stock, \$10,000,000. Shartes 200,000. Par, \$50. Officers; W. H. Barnam, President, S. W. Dorsey, Vice-President, N. B. Stevens, secretary, Offices, 116 Broadway, New York,

DUNKIN MINING COMPANY

200,000 Shares. Par Value, \$25. HENRY H. STOTESBURY, President. T. T. CHOLLAR, Secretary.

OFFICE: 60 Broad Street.

HORN SHLVER MINING COMPANY,
OF FRISCO, UTAH.
Capital, \$10,000,000; 400,000 Shares, Par \$25.
Office, No. 44 Wall-st.,
New-York. MOOSE MINING COMPANY, Secretary's

MOOSE MINING COMPANY, Secretary a Office, 62 Broadway.

New York, Nov. 27, 1880.

The transfer books of the Moose Mining Company will close on the 10th day of December, and roopen on the 20th day of December, proc. The Board of Trustees (elected in June last) having accompd hed for the most part the ends desired by the stockholders, desire to lay before them plans to accure further benefit to the share interest. Stockholders are requested to send their address to the secretary prior to December 10. As much stock is held in old certificates in the names of those who have parted with their ho dings, it is requested that each slock is transferred to the hoders prior to December 10, to the end that the actual parises in interest may be communicated with.

H. S. BRADFORD.

Secretary. NEW-YORK, DECEMBER 2, 1880.

THE STANDARD CONSOLIDATED MINING COM-PANY to-day declared its regular montally dividend of SEVENTY-FIVE CENTS FER SHARE.

Also an EXTRA DIVIDEND OF SEVENTY-FIVE CENTS PER SHARE, both payable on the 13th instant at the Nevaria Bank, 62 Wall-st. The transfer books close on the 6th inst.

M. B. COOK, Vice-Prosident.

ROBINSON CONSOLIDATED MINING CO. Mines at Ten Mile, Summit Co., Colorado. Capital \$10,000,000; 209,000 shares: \$50 each. Geo. D. Roberts, President. D. F. Verdenal, Secretary Offices. No. 115 Broadway. New York. STARR-GROVE SILVER MINING CO.,

Mine and Mills, Lander County, Nevaoa, CAPITAI, \$2,000,000 Stances, \$10 each, WILLIAM S. CLAEK, President, JOHN R. BOTHWELL, Secretary, Office, No 2, Nassaust, cor. of Wallat, N. Y. W. B. WELLING, mining stock broker, 57

Dividend Notices.

THE AMERICAN DISTRICT TRESCRAPH COMPANY EXECUTIVE OFFICES, \$2.801 IN SHEAVE NEW YORK, I SEE, I. 1880. INVIDEND ON T. — The BRUAD QUARTERLY DIVIDEND OF ONE AND SHREE-QUARTER- PER CENT on the capital stock of the American District Telegraph Company will be paid at this office on the 15th day of January proximo. The transfer books will close at 3 o'clock December 31st inst, and open on the moraning of January 16, 1881. By order of the Board of Directors.

S. W. Choput, Treasurer. E. W. AEDREWS, President.

OFFICE OF THE ONTARIO SHARE MINING COMPANY
IS WALL-SL. NEW YORK, DOS. 6, 1880
IS DIVIDEND NO. 62.—The regular MONTHLY
DIVIDEND NO. 62.—The regular MONTHLY
dec area for November, payable at the office of the transfer
agents, WELLS, FARIO & CO., 63 Broadway, on the 1941
inst. Transfer books close on the 19th inst.
H. B. PAR-ONS, Assistant Secretary.

INDIANA, BLOOMING TON and WESTERN Fallway Co.—THREE PER CENT INTEREST for the six months ending become r 31, 18-0, will be pad upon the fineone terms of this company on and after Jamery A, 1841, at the office of the Corine Banking Company, 115 Broodway, N.Y. Bonds must be presented for inder semented associated by the pad.

ignial stock of the Company open control of State Includes control from the to Data Includes control from the to Data Includes control of GEORGE BURNERS, President, W. J. CHILVNEY, Secretary, Evision State Mixing Controls, p. 1981, 4, 1885, 4

a fairneine comars and reve information of the best seneces. Further the test section and rever information of the best seneces. Further to Section and rever discussed in the section and reverse the section and reverse to the section and

Miscellancons.

A DVERTISEMENTS FOR THE NEW YORK THEONE WILL BE RECEIVED AT THE UPTOWN OFFICES, NO. 1-238 BROWNING OF THE THE URINESS. OF STATE STREET, OF STATE ENGRAVERS' INDIA PROOF PAPER;

List Tools, Box Wood and Others Woods, Son Considered and Livering to go and other woods.

ENGRAVERS' INDIA PROOF PAPER;

List Int. Tools, BOX WOOD and Others WOODS, &c.

VANDERURGH, WELLS & CO.

16 and 18 Dutch, corner Futton at., New York

CHROME.—Parties desiring to invest in this can gain variable information by addressing R. L. D., sweet A.F., Md.

Marbie and Slate Mantels.

MARBLE and MARBLEIZED MANTELS,